

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

IKEEM JARMER HUDSON,

Plaintiff,

v.

J. VASQUEZCOY, et al.,

Defendants.

Case No. 1:21-cv-00861-EPG (PC)

ORDER DIRECTING CLERK TO ASSIGN
A DISTRICT JUDGE

FINDINGS AND RECOMMENDATIONS
RECOMMENDING THAT CERTAIN
CLAIMS AND A DEFENDANT BE
DISMISSED

(ECF Nos. 1, 5, 7)

OBJECTIONS, IF ANY, DUE WITHIN
FOURTEEN DAYS

Plaintiff Ikeem Jarmer Hudson is civilly committed at the Metropolitan State Hospital and proceeds *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. (ECF Nos. 1, 4). Plaintiff filed his complaint on May 28, 2021. (ECF No. 1). The Court screened Plaintiff's complaint, concluding that only Plaintiff's excessive-force claim against Defendant J. Vasquezcoy should proceed past screening. (ECF No. 5, p. 13).

The Court allowed Plaintiff to choose between proceeding only on the claim found cognizable in the screening order, amending the complaint, or standing on the complaint subject to the Court issuing findings and recommendations to a district judge consistent with the screening order. (*Id.* at 13-14). On July 23, 2021, Plaintiff notified the Court that he wants to proceed only on the claim found cognizable by the screening order. (ECF No. 7).

1 Accordingly, for the reasons set forth in the Court's screening order that was entered on
2 June 24, 2021 (ECF No. 5), and because Plaintiff has notified the Court that he wants to
3 proceed only on the claim found cognizable in the screening order (ECF No. 7), it is HEREBY
4 RECOMMENDED that all claims and defendants be dismissed, except for Plaintiff's
5 excessive-force claim against Defendant J. Vasquezcoy.

6 These findings and recommendations are submitted to the United States district judge
7 assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within fourteen
8 (14) days after being served with these findings and recommendations, Plaintiff may file
9 written objections with the Court. The document should be captioned "Objections to Magistrate
10 judge's Findings and Recommendations." Plaintiff is advised that failure to file objections
11 within the specified time may result in the waiver of rights on appeal. *Wilkerson v. Wheeler*,
12 772 F.3d 834, 838-39 (9th Cir. 2014) (citing *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir.
13 1991)).

14 IT IS SO ORDERED.

15 Dated: July 26, 2021

16 /s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE